

12/10/01  
12685 U.S. PTO

12-14-01

10/01/01  
10/01/01A  
12/10/01Please type a plus sign (+) inside this box → 

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 14867RUS01(22171.295)

First Inventor Ashvin Chheda

Title System and Method for Maximizing Capacity in a  
Telecommunications System

Express Mail Label No. EL740243234US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2.  Applicant claims small entity status.  
See 37 CFR 1.27.

3.  Specification [Total Pages 36]  
(preferred arrangement set forth below)
 

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets 8 ]

5. Oath or Declaration [ Total Pages 2 ]
 

- a.  Newly executed (original or copy)
- b.  Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
  - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)

6.  Application Data Sheet. See 37 CFR 1.76

Commissioner for Patents  
ADDRESS TO: Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 

- a.  Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
  - i.  CD-ROM or CD-R (2 copies); or
  - ii.  paper
- c.  Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9.  Assignment Papers (cover sheet & document(s))

10.  37 CFR 3.73(b) Statement  Power of (when there is an assignee)  Attorney

11.  English Translation Document (if applicable)

12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations

13.  Preliminary Amendment

14.  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)

16.  Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17.  Other: Express Mail Certificate

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation  Divisional  Continuation-in-part (CIP)

of prior application No. \_\_\_\_\_ / \_\_\_\_\_

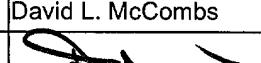
Prior application information: Examiner \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	000027683 (Insert Customer No. or Attach bar code label here)	or <input checked="" type="checkbox"/> Correspondence address below		
Name	David L. McCombs			
Address	Haynes and Boone, LLP			
	901 Main Street, Suite 3100			
City	Dallas	State	Texas	
Country	USA	Telephone	214.651.5533	
			Zip Code	75202
			Fax	214.200.0526

Name (Print/Type)	David L. McCombs	Registration No. (Attorney/Agent)	32,271
Signature			Date 10 DE 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 960.00)

## Complete if Known

Application Number	Unknown
Filing Date	12/07/2001
First Named Inventor	Ashvin Chheda
Examiner Name	Unknown
Group Art Unit	Unknown
Attorney Docket No.	14867RRUS01U (22171.295)

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 08-1394

Deposit Account Name Haynes and Boone, LLP

 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

 Check  Credit card  Money Order  Other
 

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$ 740.00)

## 2. EXTRA CLAIM FEES

Total Claims	30	Extra Claims	Fee from below	Fee Paid
Independent Claims	3	-20** =	10 x 18.00	= 180.00
Multiple Dependent	3	- 3** =		

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description		
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 180.00)

\*\*or number previously paid, if greater; For Reissues, see above

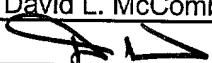
## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath
127	50	227	25 Surcharge - late provisional filing fee or cover sheet
139	130	139	130 Non-English specification
147	2,520	147	2,520 For filing a request for <i>ex parte</i> reexamination
112	920*	112	920* Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action
115	110	215	55 Extension for reply within first month
116	400	216	200 Extension for reply within second month
117	920	217	460 Extension for reply within third month
118	1,440	218	720 Extension for reply within fourth month
128	1,960	228	980 Extension for reply within fifth month
119	320	219	160 Notice of Appeal
120	320	220	160 Filing a brief in support of an appeal
121	280	221	140 Request for oral hearing
138	1,510	138	1,510 Petition to institute a public use proceeding
140	110	240	55 Petition to revive - unavoidable
141	1,280	241	640 Petition to revive - unintentional
142	1,280	242	640 Utility issue fee (or reissue)
143	460	243	230 Design issue fee
144	620	244	310 Plant issue fee
122	130	122	130 Petitions to the Commissioner
123	50	123	50 Processing fee under 37 CFR 1.17(q)
126	180	126	180 Submission of Information Disclosure Stmt
581	40	581	40 Recording each patent assignment per property (times number of properties)
146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))
179	740	279	370 Request for Continued Examination (RCE)
169	900	169	900 Request for expedited examination of a design application
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40.00)

## SUBMITTED BY

Name (Print/Type)	David L. McCombs	Registration No. (Attorney/Agent)	32,271	Complete (if applicable)
Signature				Date 10 DEC 2001

D-945221.1

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Customer No.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Ashvin Chheda	§	
Serial No.:	N/A	§	Group Art Unit: Unknown
Filed:	Herewith	§	Examiner: Unknown
For:	System and Method for Maximizing Capacity in a Telecommunications System	§	
		§	

Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

**EXPRESS MAIL CERTIFICATE**

Express Mail Number: EL740243234US

Date of Deposit: December 10, 2001

I hereby certify that the following attached papers and fee:

1. Utility Patent Application Transmittal and Fee Transmittal with duplicate copy attached;
2. Utility Patent Application consisting of 36 pages of specification;
3. Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i);
4. Application Data Sheet;
5. 8 drawing sheets;
6. signed Declaration;
7. signed Power of Attorney
8. a check in the amount of \$920.00;
9. an executed Assignment and Assignment Recordation Cover Sheet;
10. a check in the amount of \$40.00 for Assignment Recordation; and
11. a Return Postcard.

are being deposited with United States Postal Service "Express Mail Post Office to addressee" to the U.S. Patent and Trademark Office, Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202, Attn: Box Patent Application.

  
Debbie Ludwig

Date

12.10.2001

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

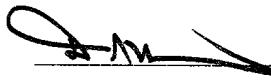
First Named Inventor	Ashvin Chheda
Title	System and Method For Maximizing Capacity in a Telecommunications System
Atty Docket Number	14867RRUS01(22171.295)

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

10 DEC 2001

Date



Signature

David L. McCombs

\_\_\_\_\_  
Typed or printed name

Haynes and Boone, LLP  
901 Main Street, Suite 3100  
Dallas, Texas 75202  
Phone: 214-651-5533  
Fax: 214-200-0526

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**